

9 FAM 41.107 NOTES

(TL:VISA-524; 02-14-2003)
(Office of Origin: CA/VO/L/R)

9 FAM 41.107 N1 SCHEDULE OF FEES

(TL:VISA-328; 10-25-2001)

The reciprocity fee to be collected for the issuance of a nonimmigrant visa is prescribed in the appropriate schedule of 9 FAM Appendix C. These schedules, required by INA 221(c) and INA 281, are based upon the treatment accorded U.S. citizens, by the governments of the countries concerned and apply to nationals, permanent residents, refugees and stateless residents of those countries.

9 FAM 41.107 N2 MRV PROCESSING FEE

(TL:VISA-328; 10-25-2001)

In addition to the fee authorized in 9 FAM 41.107 N1 above, sec. 140 of Public Law 103-236 authorizes the Secretary of State to collect a surcharge for processing applications for machine-readable nonimmigrant visas and machine-readable combined border-crossing cards. The fee is set forth by regulation at 22 CFR 22.1.

9 FAM 41.107 N3 FEE IF ALIEN ENTITLED TO C-2 CLASSIFICATION ACCEPTS OTHER TYPE VISA

(TL:VISA-328; 10-25-2001)

An alien who would be entitled to a C-2 visa without fee, who is issued a visa under any other nonimmigrant classification, must pay the fee, if any, prescribed by the appropriate schedule in 9 FAM Appendix C for the category of visa issued.

9 FAM 41.107 N4 CREW-LIST VISA FEE

(TL:VISA-328; 10-25-2001)

See 9 FAM 41.42 PN1.1.

9 FAM 41.107 N5 WAIVING OF VISA FEES

(TL:VISA-524; 02-14-2003)

The regulations in 22 CFR 22.1 provide exemptions from the nonimmigrant visa issuance fees in the following instances (see 9 FAM 41.113 PN5.2 for exceptions to the MRV processing fee):

- (1) An official representative of a foreign government or an international or regional organization of which the United States is a member [see 9 FAM 41.107 N5.1];
- (2) An applicant transiting to and from the U.N. Headquarters;
- (3) An applicant participating in a U.S. Government-sponsored program;
- (4) Persons travelling to participate in charitable activities as determined by the Department ; and
- (5) Members and staff of an observer mission to the U.N. Headquarters recognized by the U.N. General Assembly, and their immediate families.

9 FAM 41.107 N5.1 Official Representatives of Foreign Governments

(TL:VISA-277; 05-10-2001)

No fees are charged for "A" or "G" visas and reciprocal or application (MRV) fees.

9 FAM 41.107 N5.2 Aliens engaged in Charitable Activities

(TL:VISA-518; 02-06-2003)

A waiver of the nonimmigrant visa application and issuance fees may be obtained for an alien who will be engaged in charitable activities for a charitable organization upon the written request of that organization. The request must claim that the fees will impose a financial burden on the charitable organization. The consular officer must be satisfied that:

- (1) The organization seeking relief from the fees is, if based in the United States, tax-exempt as a charitable organization under the provisions of section 501(c) (3) of the Internal Revenue Code (26 U.S.C. 501(c)(3)). If the organization is based outside the United States, it must establish that it is recognized as a charitable institution by the government of the country in which it is based under criteria substantially similar to those of section 501(c)(3);

- (2) The charitable activities in which the alien will be engaged in are specified and will be a part of, or will be related to and in support of, the organization's provision of services, including but not limited to health care, food and housing, job training, and similar direct services and assistance to the poor and needy;
- (3) The request must include the location of the proposed activities, the number and identifying data of each of the alien(s) who will be applying for visas; and
- (4) The proposed duration of the alien's temporary stay in the United States is to be reasonably consistent with the charitable purpose for which the alien(s) seek to enter the United States.

9 FAM 41.107 N6 MRV APPLICATION FEE

(TL:VISA-467; 10-02-2002)

- a. For the current non-refundable application-processing fee for a Machine Readable Visa, see 22 CFR 22.1. The method for collecting the fee varies from post to post, and is to be paid separately from the visa reciprocity fee. [For the visa reciprocity fee, see the specific country concerned in 9 FAM Appendix C.]
- b. For B-1/B-2 and C-1/D visas, or both, only one MRV fee is charged. For any other multiple visa combinations requiring two or more MRV foils for one applicant, two or more MRV fees are collected, as appropriate. For example, B-2 and F-1.